

Post-Closure Monitoring and Maintenance Plan

For

Marina Gateway Project

**Community Development Commission
of the City of National City**

**Prepared By
SCS Engineers**

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1.1 Post-Closure Responsibilities

This Post-Closure Monitoring and Maintenance Plan (PCMMP) describes the responsibilities and obligations of the property owner for post-closure monitoring and maintenance required for the former National City Dump (a.k.a. Davies Dump), a former burn ash disposal site (SWIS# 37-CR-0084) in National City, San Diego County, California (Site). There are two categories of responsibilities, property transfer and operational. These responsibilities are detailed as follows.

1.1.1 Property Transfer Responsibilities

The following property transfer responsibilities are required for the Site whenever there is a prospective change in ownership.

- The property owner must provide written disclosure to the prospective purchaser that there is a closed disposal site and the new property owner will be responsible for the post-closure maintenance and regulatory compliance.
- The property owner must inform the prospective purchaser that this PCMMP exists and that there is a use-restricting environmental Covenant in effect.
- The property owner must notify the County of San Diego Solid Waste Local Enforcement Agency (LEA) and the California Integrated Waste Management Board (CIWMB) regarding any sale or transfer of the Site, in writing at least 45 days prior to the sale or transfer. The notification must include the name, address, and phone number of the new owner/operator.

1.1.2 Operational Responsibilities

The following operational responsibilities are required for the Site.

- The groundwater monitoring program must be continued for at least 1 additional quarter.
- The property owner must comply with City of National City and San Diego Regional Water Quality Control Board (RWQCB) storm water regulations.
- The property owner must provide a barrier and restricted access signage between the pedestrian pathway and the unpaved portions of the Site.
- The property owner must inspect the condition of the grading quarterly and after major rainfall events, and conduct any maintenance necessary to prevent ponding of water and moisture infiltration.

- The property owner must inspect the condition of the asphalt pavement, catch basins, surface drainage, vegetative cover, monitoring well, light standards, and security features quarterly, and conduct any maintenance necessary.
- The asphalt pavement, drainage channels, catch basins, and pedestrian pathway must be swept and cleaned on a regular basis, trash receptacles will be provided, and storm water best management practices will be implemented.
- Annual audit reports will be submitted to the LEA on February 1 of each year. These reports will describe the results of the quarterly inspections, including the condition of the pavement and soil cap, any problems noted or repairs or maintenance performed, special occurrences, and the timelines for completion of ongoing repairs.
- The landscaping on the Site will be installed in planter boxes. If the landscaping is changed, then only shallow rooting, drought tolerant plants will be utilized, a drip irrigation system will be used, if any, and the irrigation system will be inspected and repaired as necessary so that there is not infiltration of irrigation water into the cap. Only drought tolerant native species are permitted within the Habitat Buffer portion of the Site (the Habitat Buffer extends approximately 100 feet from the edge of Paradise Marsh).
- The property owner must follow the procedures described in the Emergency Response Plan (ERP) in case of release of leachate.
- The property owner must appoint an individual with proper training and authority as ERP coordinator to oversee implementation of the ERP.
- Acts of vandalism will be reported to the police and the LEA, and corrected within seven days.
- Fires or explosions will be reported to the fire department and LEA, investigations and corrective actions will be initiated immediately, and a report will be submitted to the LEA within seven days.
- In case of significant earthquake, the Site will be assessed for damages and the LEA notified within 24 hours. A report documenting the damages and required repairs will be submitted to the LEA within seven days. The report will include timelines for completion of ongoing repairs.
- In case of flood, the Site will be assessed for damages and the LEA notified within 24 hours. A report documenting the damages and required repairs will be submitted to the LEA within seven days. During the flood event, it may be necessary to divert flood waters away from waste disposal areas. The report will include timelines for completion of ongoing repairs.

- In case of disruption of the cap and release of wastes, the ERP will cordon off the affected area of the Site to prevent access, take all necessary measures to prevent further release, properly characterize and dispose of wastes released, report the release to the LEA, and issue a written report to the LEA within seven days. The report will include timelines for completion of ongoing repairs.
- Best Management Practices (BMPs) will be repaired and replaced to the extent necessary to retain functionality.

SCS Engineers (SCS) has prepared this PCMMP on behalf of the Community Development Commission of the City of National City (CDC) for the Site. The Site has been the subject of a remediation project managed by the CIWMB under the Solid Waste Disposal and Codisposal Site Cleanup Program pursuant to Public Resources Code (PRC) Section 48020 et seq. This PCMMP addresses long-term monitoring and maintenance of the Site after completion of the CIMWB-managed remediation project and approval of the Preliminary Closure Report issued to document completion of the Property Mitigation Plan (prepared by SCS and dated March 25, 2003) (PMP), which involves reconsolidating and encapsulating wastes on-site, and subsequent post-closure activities associated with the CDC's Marina Gateway Project (Project) within the Harbor District Redevelopment Area.

This PCMMP was approved by the Department of Environmental Health for the County of San Diego (DEH) as a condition for the "closure" of the Site, which was placed under DEH jurisdiction by the California Environmental Protection Agency (Cal-EPA) Site Designation Committee petitioned pursuant to the Uniform Agency Review Law. ***Compliance, by the owners of any and all portions of the Site, with the terms and conditions of this PCMMP is a requirement for their continued protection and benefits afforded by the Polanco Redevelopment Act (California Health and Safety Code sections 33459 et seq.)***

2.1 Objectives

The purpose of this PCMMP is to fulfill the requirements of Title 27 of the California Code of Regulations (27 CCR) set forth for inactive disposal sites that have not received closure certification pursuant to Section 21880 and are not subject to Article 2 Standards.

The objectives of this PCMMP are as follows:

- Identify all regulatory requirements and appropriate measures necessary to meet compliance standards.
- Provide a detailed plan for post-closure monitoring, inspections, and maintenance at the site to be implemented during the extent of the post-closure maintenance period.
- Evaluate long-term effectiveness of Site remediation efforts, including maintenance of engineered cap, and take any additional corrective actions necessary to maintain performance criteria.
- Enable regulatory agencies to readily assess whether or not specified post-closure monitoring and maintenance activities are being conducted in accordance with the approved PCMMP.

Wherever possible, specific sections of the 27 CCR Regulations have been cited within the text of PCMMP alongside the proposed compliance measures. The purpose of this is two-fold:

- Provide those individuals responsible for PCMMP implementation with an understanding of the regulatory basis for each of the plan provisions.
- Readily demonstrate to the regulators involved with the PCMMP review and approval how the PCMMP intends to meet the post-closure monitoring and maintenance requirements.

2.2 Regulatory Oversight

2.2.1 Cal-EPA Administering Agency

Pursuant to Health and Safety Code §§ 25260-25268, the DEH has been designated by the California Environmental Protection Agency (Cal-EPA) as the administering agency for environmental oversight of Site remediation efforts associated with the Project. There are two programs in separate divisions of the DEH that have regulatory oversight roles at this Site; these are the:

- Site Assessment and Mitigation (SAM) Program, Land & Water Quality Division.
- LEA, Community Health Division.

2.2.1.1 Site Assessment and Mitigation Program

The DEH SAM Program personnel are responsible for the review and approval of Site investigations, remedial actions, and the final PCMMP to ensure compliance with state and local laws. They are also required to consult with all other agencies that may have jurisdiction at the Site so that their respective regulatory requirements are satisfied. This PCMMP was adopted after DEH, in consultation with other interested stakeholders, determined that completion of the PMP had been documented and a letter approving the Property Closure Report issued, transferring SAM oversight authority for Site maintenance to the LEA. Mr. Nasser Sionit, of the SAM, is the DEH contact for the Site, and can be reached at 619-338-2239.

2.2.1.2 Solid Waste Local Enforcement Agency

The DEH LEA is certified by the CIWMB to enforce state and local solid waste laws and regulations within its jurisdiction that encompasses the entire County of San Diego, except for the City of San Diego. The LEA will be responsible for reviewing the monitoring and maintenance of the Site as detailed in the PCMMP, but requests for approval of any subsequent revisions and updates to the PCMMP shall be made to the SAM. The LEA is also responsible for routine inspections of the Site for the duration of the post-closure maintenance period to ensure compliance with 27 CCR requirements.

2.2.2 California Integrated Waste Management Board

The CIWMB entered into an agreement with the CDC to investigate and remediate the former solid waste site pursuant to PRC §§ 40505 and 48024. The CIWMB's Solid Waste Disposal and Codisposal Site Cleanup Program (AB 2136 Program) was responsible for directing the investigation and remediation efforts for the reconsolidation project at the Site. In addition, the CIWMB's Closure and Technical Services Section is responsible for ensuring that the LEA is following prescribed site inspection and enforcement procedures during the post-closure maintenance period.

2.2.3 San Diego Regional Water Quality Control Board

The state of California is divided into nine regions, each with a separate RWQCB to enforce water quality regulations. The San Diego RWQCB has been consulted by the County DEH, the "administering agency" under the Health and Safety Code, in the development of the investigations of the Site, and the approval of the PMP by DEH to ensure water quality standards have been met.

2.2.4 United States Fish and Wildlife Service

Since Paradise Marsh is owned and maintained by the United States Fish and Wildlife Service (USFW), USFW was consulted in the development of the PMP and has provided input throughout this project so that this project would not result in increased degradation to Paradise Marsh. As approved, the PMP enhances Paradise Marsh by preventing erosion of the Site materials into the marsh, revegetating the Habitat Buffer with native species, and providing educational information regarding Paradise Marsh.

3.1 Site Location

The Site, a former burn ash disposal site, is located west of Interstate 5, north of Paradise Marsh (a unit of Sweetwater Marsh National Wildlife Refuge), and south of Bay Marina Drive in National City, San Diego County (see Figure 3-1). The Site is situated on a section of Paradise Marsh, owned and maintained by the USFW (portions of assessor parcel numbers [APNs 559-160-15 and 559-160-16], and a portion of Marina Gateway (including portions of APNs 559-160-03, 559-160-09, 59-160-21 and 559-160-11).

3.2 Site History

The Site operated as a burn dump between the 1920s and 1950s. As was typical of dump operations at that time, salvageable materials, such as scrap metals, were removed from the refuse prior to its burning and disposal. The resultant burn ash was then periodically pushed out onto the bluff and adjacent inter-tidal wetlands at Paradise Marsh. Upon cessation of dump operations, the disposal site was graded and leveled and other businesses started operating on or adjacent to the area. These former businesses included a slaughterhouse, meat packing plant, auto wrecking yard, and an olive oil plant.

In 1949, the State of California, Department of Transportation (Cal-Trans) took a portion of the former burn dump under eminent domain for the construction of Interstate 5. With the creation of the Sweetwater National Wildlife Refuge in 1988, USFW took over ownership of the Paradise Marsh portion of the property along the southernmost boundary of the Site.

In 1998, the CDC acquired the industrial and commercial portions of the Site, which were incorporated into the Marina Gateway portion of the Harbor District Redevelopment Area.

3.3 Current and Future Land Use

The Site encompasses approximately 3.31 acres and extends from the Marina Gateway area south into the Sweetwater National Wildlife Refuge. As a result of the CIWMB-managed remediation project, the Site was regraded, contoured, capped with asphalt pavement or a minimum of 2-foot-thick clean fill soil cover, and revegetated with native plant species. Other recognized environmental conditions on the Site and adjacent portions of Marina Gateway were investigated and remediated, as necessary, to the approval of the DEH, and all activities were designed to support the proposed redevelopment project. The redevelopment project includes plans for a hotel and restaurant complex with adjacent parking facilities; and the creation of a 100-foot-wide Habitat Buffer zone (completed) and pedestrian walkway (completed), between the commercial property and the wildlife refuge, that extends from Bay Marina Way (Figure 3-2).

4.1 Current Property Owners

Currently, the CDC owns the northern part of the Site and adjacent portions of Marina Gateway, and USFW is trustee of the southern portion of the Site, known as part of the Paradise Marsh Unit of Sweetwater National Wildlife Refuge. The current property owners assumed responsibility for the monitoring and maintenance of their portions of the closed disposal site after the CIWMB completed the remediation project.

This PCMMP discussed the various restrictions and obligations that are imposed on the Site, including: Site security, grading of fill surfaces, Site maintenance, leachate control, drainage/erosion control, litter control, gas control, and post-closure land use. See *Chapter 5, Section 5.1 Post-Closure Maintenance and Regulatory Compliance* of this PCMMP for a further discussion of these requirements. The CDC has entered into an agreement with a prospective purchaser where those responsibilities are described and allocated.

The contact information for the CDC representative responsible for management of the closed disposal site is as follows:

Title:	Redevelopment Projects Manager
Address:	1243 National City Boulevard, National City, CA 91950
Telephone:	(619) 336-4255

The contact information for the representative responsible for maintaining USFW-owned portions of the Site is as follows:

Title:	Project Leader, San Diego National Wildlife Refuge Complex
Address:	2722-D Loker Avenue West, Carlsbad, CA 92008
Telephone:	(760) 930-0168

4.2 Change of Ownership Notification Requirements

The CDC is responsible for providing written disclosure to the prospective buyer that there is a closed disposal site on a portion of the property and that the new property owner will be responsible for post-closure maintenance, regulatory compliance, and development and landscape restrictions as described herein. In addition, the CDC will require that the subsequent owner make and require this same disclosure to and for all potential future successors, to explicitly inform them of the existence of this PCMMP, and the related use-restricting environmental Covenant (described below) that will be recorded on the record of title for the Site.

A deed restriction for the capped portion of the Site will be recorded in the form of a Covenant and Agreement (Covenant) made by and between the CDC and the DEH, the “administering agency,” for the mitigation of environmental conditions at the property pursuant to Health and Safety Code sections 25260, et seq. The Covenant sets forth certain restrictions on the use of the

property which are reasonably necessary to protect present or future human health or safety or the environment as a result of the presence on the land of hazardous materials, as defined in the Health and Safety Code (For further information see Appendix B, Deed Restriction).

Title 27 CCR §21630 (Change of Owner, Operator, and/or Address) requires the property owner to also notify in writing both the LEA and CIWMB 45 days prior to any sale or transfer of the property. This notification must include the name, address, and phone number of the new owner/operator.

5.1 Regulatory Requirements

Based on Title 27 requirements, ongoing monitoring is required for cap maintenance and may be required at the Site for groundwater, storm water, and landfill gases (such as methane).

5.1.1 Groundwater Monitoring and Sampling Program

The current well locations are shown in Figure 3-2.

Based on the historical groundwater sampling data, the proposed groundwater monitoring wells, the five wells in Paradise Marsh located northwest of Paradise Creek (monitoring wells JMW1, JMW2, JMW3, JMW4, JMW5), and the surface sampling locations in Paradise Creek, should all continue to be sampled for volatile organic compounds (VOCs) in accordance with EPA Method 8260B and for metals in accordance with EPA Method 1640. The groundwater monitoring wells at the Site and in Paradise Marsh will be sampled on a quarterly basis for a minimum period of one year. At the end of the one year period, the continued need to conduct groundwater monitoring will be reevaluated based on the accumulated data. As of the date of this PCMMP, three quarters of monitoring have been completed.

5.1.2 Storm Water Monitoring Program

The future property owner/developer of Marina Gateway will be responsible for compliance with construction and operational storm water regulations enforced by the City of National City and San Diego RWQCB.

5.1.3 Landfill Gas Monitoring Program

Based on the available methane gas data for the Site which is discussed in the Property Closure Report, methane gas is not present at the Site at concentrations that require ongoing landfill gas monitoring, and therefore no ongoing landfill gas monitoring program and no landfill gas mitigation system are required.

6.1 Post-Closure Maintenance and Regulatory Compliance

The following sections identify the post-closure maintenance requirements found in Title 27 of the California Code of Regulations (27 CCR) and the measures to be taken to comply with these regulations.

6.1.1 Site Security (27CCR §20530)

The site shall be designed to discourage unauthorized access by persons and vehicles by using a perimeter barrier or topographic constraints. Areas within the site where open storage or ponding of hazardous materials occurs shall be separately fenced or otherwise secured as determined by the enforcement agency (EA). The EA may also require that other areas of the site be fenced to create an appropriate level of security.

A perimeter barrier to prevent entry and restricted access signage will be provided as necessary, where there is the potential for burn ash to be exposed and/or otherwise accessible to the public. The approved barrier requirements are illustrated in Figure 3-2, and include the unpaved portions of the Site which serve as the habitat buffer zone between public areas and the wildlife refuge. The restricted access signs will be constructed of a durable material, such as metal or plastic, and will be written in both English and Spanish. The signs will read: “No Trespassing – Sensitive Habitat Area.” The signage will also provide a local telephone number for emergency notification. All barriers and gates will be routinely inspected for structural damage, weathering, vandalism, and missing or damaged warning signs.

6.1.2 Grading of Fill Areas (27CCR §20650)

Covered surfaces of the disposal area shall be graded to promote lateral runoff of precipitation and to prevent ponding. Grades shall be established of sufficient slopes to account for future settlement of the fill surface. Other effective maintenance methods may be allowed by the EA.

The final grading plan is designed to prevent the ponding of water and to minimize moisture infiltration. The overall condition of the grading will be visually inspected on a quarterly basis (including one inspection before the rainy season) and after major rainfall events. If differential settlement is noted, such as ponding or low spots, then repair will be performed as necessary and maintenance will begin at the earliest time feasible, as described in the subsequent section on Site Maintenance.

6.1.3 Site Maintenance (27 CCR §20750)

The operator shall implement a preventative maintenance program to monitor and promptly repair or correct deteriorated or defective conditions with respect to requirements of the CIWMB standards, and conditions established by the EA. All other aspects of the disposal site shall be kept in a state of reasonable repair.

Preventative maintenance needs will be identified through a quarterly inspection of the parking lot and surroundings areas within the Site. A visual inspection will be conducted to identify

evidence of differential settlement and erosion of the soil cap. Further inspection will include an examination of the asphalt cover, catch basins, surface drainage, vegetative cover, monitoring wells, light standards, and security features.

6.1.3.1 Maintenance of Asphalt Cover

Visual inspections of asphalt cover shall, at minimum, look for evidence of:

- Differential settlement, such as ponding or “sagging” of pavement.
- Cracking of pavement and/or other signs of deterioration.

If damaged or failing pavement that might result in water infiltration to the subsurface is noted, then repairs will be made as follows:

- If differential settlement occurs and sagging of pavement is observed, an asphalt overlay may be required to maintain proper surface drainage. When necessary, import of additional soil may be used to raise the damaged area to the appropriate sub-grade and a fabric interlay may be coupled with the asphalt pavement to increase the tensile strength of the section and avoid future sagging.
- An asphalt-based seal coat shall be used to seal minor cracking of the pavement. Areas with excessive cracking may be saw-cut and the pavement section replaced.
- An asphalt-based seal coat may also be used in areas in which the pavement has deteriorated and surface aggregate has loosened.

6.1.3.2 Maintenance of Unpaved Areas

Visual inspection of grounds will be conducted to locate evidence of differential settlement. Repair of differential settlement in unpaved areas shall be conducted by importing soil and re-grading surfaces if ponding occurs.

Visual inspection will also include locating evidence of damage caused by animals (burrows, holes, damaged vegetation in Habitat Buffer, etc.). If damage caused by animals is noted, then USFW will be consulted and appropriate vector control measures will be undertaken. Since the Site is adjacent to a National Wildlife Refuge and includes the Habitat Buffer, vector control measures may be limited to live trapping of certain species, and might be restricted depending on specific species and time of year (as related to breeding seasons).

6.1.3.3 Maintenance of Storm Drainage and Erosion Control

The parking lot surfaces, drainage channels, and catch basins will be inspected for evidence of accumulated trash, debris, and sediment. These areas will be swept and cleaned on a routine basis. Unpaved areas will be inspected for erosion and settlement due to wind and rain. To repair erosion damage, the Site will be re-graded and BMPs will be implemented as needed. Vegetative cover within the Habitat Buffer zone will also be visually inspected for erosion control and slope protection. Slopes, eroded surfaces, and areas of sparse or dead vegetation will be repaired by replanting and reseeding as required with appropriate plant species.

6.1.3.4 Maintenance of Landscaping

All of the landscaping located in the parking lot will be placed in planters and will not penetrate the cap.

If the landscaping is changed, it will include only shallow rooting, drought tolerant plants. Irrigation will be monitored and the irrigation systems, if any, will be drip irrigation systems that are maintained by trained maintenance staff. The irrigation systems will be inspected, while in operation, and components of the irrigation system will be inspected, adjusted, and repaired as necessary.

No deep-rooted plants will ever be used in the landscaping, in order to protect the integrity of the landfill cap. Only drought tolerant native species are permitted within the Habitat Buffer portion of the Site (the Habitat Buffer extends approximately 100 feet from the edge of Paradise Marsh).

6.1.4 Leachate Control (27 CCR §20790)

The operator shall ensure that leachate is controlled to prevent contact with the public.

Leachate has not been reported or observed at the Site. If any sign of leachate is discovered at the surface, the incident will be addressed using procedures found in the Emergency Response Plan, Section 6.3.7 (Waste Releases).

6.1.5 Drainage/Erosion Control (27 CCR §20820)

(a) The drainage system shall be designed and maintained to:

(1) ensure integrity of roads, structures, and gas monitoring and control systems;

(2) prevent safety hazards; and

(3) prevent exposure of waste.

The drainage system is designed to prevent run-on and runoff from adversely affecting the integrity of the final cover and to protect Paradise Marsh or other delineated wetlands from the Site's storm water discharges or landscape runoff. The inspection and maintenance of drainage and erosion control features will follow City of National City storm water requirements and provisions described in Section 6.1.3.3 (Maintenance of Storm Drainage and Erosion Control), which will be conducted before the rainy season and after heavy rainfall events.

6.1.6 Litter Control (27 CCR §20830)

Litter shall be controlled, routinely collected and disposed of properly. Windblown materials shall be controlled to prevent injury to the public and personnel. Controls shall prevent the accumulation, or off-site migration, of litter in quantities that create a nuisance or cause other problems.

Visual inspections will be conducted for the presence of accumulated trash, debris, and cast-off materials. The parking lots and other public areas will be swept and/or cleared of trash and debris and trash receptacles will be provided in these areas as standard storm water BMPs. These BMPs are included in Appendix B. The barrier along the pedestrian walkway will also be inspected for windblown litter and appropriate measures taken, when necessary, to remove accumulated trash.

6.1.7 Gas Control (27 CCR §20919)

Where the enforcement agency, the local fire control authority, or the CIWMB has cause to believe a hazard or nuisance may be created by landfill decomposition gases, they shall so notify the owner. Thereafter, the site owner shall cause the site to be monitored for presence and movement of gases, and shall take necessary action to control such gases. The site owner shall inform the operator of any actions ordered by the EA, the local fire control authority or the CIWMB concerning gas control methods. The monitoring program shall be developed pursuant to the specifications of the above agencies. The monitoring program shall not be discontinued until authorized to do so in writing by the requiring agency. Results of the monitoring shall be submitted to the appropriate agencies. If monitoring indicates methane gas movement away from the site, the owner shall, within a period of time specified by the requiring agency, construct a gas control system approved by that agency. The agency may waive this requirement if satisfactory evidence is presented indicating that adjacent properties are safe from hazard or nuisance caused by methane gas movement. The operator shall duly inform the disposal site owner of possible landfill gas problems.

Based on the soil gas sampling results discussed in the Property Closure Report, no methane concentrations above laboratory levels were reported in most sampling locations, and detectable methane concentrations are reported to be well below the County of San Diego action level of 12,500 milligrams per liter as vapor (mg/L-v); therefore, no ongoing monitoring for methane gas has been required in this PCMMP.

6.1.8 Postclosure Land Use (27 CCR §21190(c))

All proposed postclosure land uses, other than non-irrigated open space, on sites implementing closure or on closed sites shall be submitted to the EA, RWQCB, local air district and local land use agency. The EA shall review and approve proposed postclosure land uses if the project involves structures within 1,000 feet of the disposal area, structures on top of waste, modification of the low permeability layer, or irrigation over waste.

Commercial and industrial uses are planned for Marina Gateway, including a hotel and restaurant. The land uses at Marina Gateway may expand or change over time and will follow the standard City of National City permitting process; however, no further development or improvements of any kind are allowed on the Site (depicted in Figure 3-2) without prior approval of the DEH.

6.2 Site Monitoring and Inspection Program

In addition to the routine inspections conducted by the County LEA for regulatory compliance, the property owner or their representative will be performing at least quarterly self-audits to assess Site maintenance and any needs for corrective actions. Annual audit reports will be submitted to the LEA on February 1 of each year. These reports will describe the results of the quarterly inspections, including the condition of the pavement and soil cap, any problems noted or repairs or maintenance performed, special occurrences, and the timelines for completion of ongoing repairs.

7.1 Introduction

The purpose of the ERP is to outline the procedures to be followed in the event an emergency action is required during the post-closure maintenance period. The ERP identifies those occurrences that may cause disruption of the landfill cap and endanger public health and safety and the environment.

The primary elements of the ERP include:

- Chain of command and notification procedures for emergency responses.
- Procedures and practices to follow during emergency response actions.
- Reporting requirements for the emergency response actions.

This plan will be available for viewing at the following location:

Community Development Commission of National City
1243 National City Boulevard
National City, CA 91950

7.1.1 Regulatory Requirements

The requirements for a post-closure ERP are found in 27 CCR §21130, which states:

(a) The operator shall maintain a written postclosure emergency response plan at the facility or at an alternate location as approved by the enforcement agency (EA). The emergency response plan must identify occurrences that may exceed the design of the site and endanger public health or the environment. The plan shall describe specific procedures that minimize these hazards to protect public health and safety. The events that the plan shall address include, but are not limited to: vandalism, fires, explosions, earthquakes, floods, the collapse or failure of artificial or natural dikes, levees or dams; surface drainage problems; and other waste releases.

(b) The emergency response plan shall contain the following:

(1) identification of events which could require the implementation of emergency response actions.

This section shall not apply to the gas monitoring provisions;

(2) a description of the actions to be taken, and the sequence and implementation timetable needed to mitigate the conditions; and

(3) a statement regarding the general availability of equipment required to mitigate each type of emergency.

(c) The operator shall amend the emergency response plan under the following conditions:

(1) whenever a failure or release occurs for which the plan did not provide an adequate response;

(2) when the postclosure land use and/or structures on the site change and these changes are not addressed in the existing plan; or

(3) if the EA notifies the operator in writing that the current emergency response plan is inadequate under the provisions of this section. The notifying agency shall include within the written notice the items the plan needs to consider for it to comply with this section. The operator

shall submit an amended emergency response plan to the EA within thirty (30) days of notification of an inadequacy.

(d) Whenever the operator amends the emergency response plan pursuant to §(c)(1 or 2), the operator shall submit a written copy of the amended plan to the EA.

7.1.2 Emergency Response Plan Coordinator and Responsibilities

The identification of the occurrence of an emergency, and appropriate emergency response actions must be made by an individual having both the authority and training to oversee implementation of the ERP. This individual is designated as the ERP Coordinator, whose responsibility it is to:

- Oversee and coordinate all emergency response activities.
- Communicate with the appropriate regulatory agencies in the event of an emergency.
- Ensure required documentation is transmitted to appropriate regulatory agencies for their approval and/or records.
- Review and revise the ERP as necessary.

All inspectors, maintenance crews, visitors, and other personnel who potentially may be exposed to burn ash/waste materials at the Site are subject to the provisions of this ERP and they should be familiar with its provisions. This is not a Worker Health and Safety Plan and therefore the employer of personnel entering the Site will be responsible for the health and safety of their own employees. All contractors must comply with applicable Occupational Safety and Health Administration standards.

In the event of an injury or illness requiring emergency medical care, the following resources can be used:

- Paradise Valley Hospital (619) 470-4321
2400 East Fourth Street, National City, CA 91950 (See Figure 7-1 Location Map)
- Fire Rescue (Paramedics) 911.

7.1.3 Emergency Response Plan Revisions

As specified in the regulations, the ERP will be amended or revised whenever there is:

- A failure or release that was not adequately addressed in the plan with an appropriate response.
- Any change in post-closure land use at the Site.

- Any changes in maintenance, monitoring, or inspections requirements during the post-closure maintenance period.

7.1.4 Equipment

The ERP Coordinator will make arrangements for equipment required for emergency repairs. Generally this equipment is limited to dozers, scrapers, and graders for grading, excavation, and/or compaction activities. Additionally, a water truck may be required for dust suppression.

7.2 Employee Training

Emergency personnel shall have completed the 40-hour safety training requirements in accordance with Title 29 of Code of Federal Regulations (CFR) Section 1910.120, Hazardous Waste Operations and Emergency Response (HAZWOPER).

When appropriate (e.g, a slope failure has occurred at the Site and is being repaired), daily safety briefings will be held prior to work activities and all on-site personnel shall be required to attend. Topics of discussion and attendance will be documented.

7.3 Potential Hazards and Corrective Actions

7.3.1 Vandalism

Vandalism is the willful or malicious destruction or defacement of Site property such as perimeter fencing, monitoring wells, landscape vegetation, drainage structures, or final cover. The ERP Coordinator will inspect and evaluate the damage and loss due to vandalism. If affected areas pose a potential health and/or safety hazard, they will be cordoned off to limit access and corrective action will be taken as soon as practicable.

Non-critical repairs (i.e., fencing or landscaping) will be scheduled at that same time and initiated within seven (7) days. Acts of vandalism will be reported to the local police first and then to the LEA.

7.3.2 Fires and Explosions

Fire or explosion may be caused by ignition of brush, on-site structures or, in extreme cases, by landfill gas (LFG) accumulation in excess of the lower explosive limit (LEL) (highly unlikely scenario). On-site personnel will not be directly involved in fire-fighting activities, but will respond as follows:

- Any occurrence of fire or explosion will be immediately reported to the local fire department (*Call 911*) and to the ERP Coordinator.

- Affected area will be cordoned off by at least 250 feet from the incident.
- If appropriate, hand-operated fire extinguishers will be used by trained personnel for small grass fires.
- The ERP Coordinator will immediately notify the LEA.
- Once the fire has been extinguished, an investigation will be conducted as to cause, an evaluation of damage will be assessed and appropriate corrective actions taken. A follow-up report will be issued to the LEA within seven (7) days of the incident that documents the cause of fire or explosion, corrective actions taken, and future preventative maintenance measures proposed. The report will include timelines for completion of ongoing repairs.

7.3.3 Earthquakes

Earthquakes can cause slope failures and damage to final cover (including paved surfaces), on-site facilities, environmental monitoring systems, and drainage structures. Following a significant earthquake (a “significant earthquake” is defined as having a magnitude greater than 5.0 for the purposes of this PCMMP), the Site will be assessed for damages and the LEA notified within 24 hours. The ERP Coordinator will make all necessary arrangements for repairs to final cover, drainage, and/or monitoring systems if earthquake damage is noted. A written report that documents earthquake damages and recommended repairs will be submitted within seven days to the LEA. The report will include timelines for completion of ongoing repairs.

7.3.4 Floods

Flooding resulting from extreme weather conditions has the potential for significant damage to final cover and drainage systems. In the event of a flood, the following actions will be taken:

- Following the flood event, the ERP Coordinator will assess the Site for damages.
- If necessary, temporary diversion channels will be constructed to minimize water infiltration into waste disposal areas; sandbags may be used in conjunction with temporary drainage channels for this purpose.
- The ERP Coordinator will determine whether significant damage has occurred to the final cover system to warrant immediate repairs; if so, arrangements will be made for immediate corrective actions.
- The ERP Coordinator will notify the LEA within 24 hours as to any flood-related impacts and a written report will be issued within seven days to both the LEA that documents

flood damage and recommended repairs. The report will include timelines for completion of ongoing repairs.

7.3.5 Failure of Dikes or Levees

The same procedures will be followed as discussed under Section 6.3.4 (Flood).

7.3.6 Surface Drainage Problems

The same procedures will be followed as discussed under Section 6.3.4 (Flood).

7.3.7 Waste Releases

If buried wastes are released through the disruption of engineered cap as a result of hazards described above or any other unforeseen event, the following actions will be taken:

- Affected areas will be immediately cordoned off to prevent public access.
- ERP Coordinator will assess the situation and the wastes will be properly characterized to determine whether the wastes released are non-hazardous or hazardous in nature.
- All necessary measures will be taken immediately to prevent further waste releases; any required waste containment and disposal equipment will be mobilized immediately or rented if necessary.
- Non-hazardous waste will be cleaned up and removed for disposal to an approved solid waste facility.
- If the waste is suspected to be hazardous in nature, a licensed hazardous waste contractor will be hired to contain and properly dispose of waste.
- The ERP Coordinator will report any waste releases to the LEA within 24 hours and a written report will be issued within seven days that documents the release circumstances, final disposition of wastes, and recommended further preventative measures, if any. The report will include timelines for completion of ongoing repairs.

California Integrated Waste Management Board. August 2004. *Final Remediation Work Plan, National City Dump, City of National City, San Diego County*

_____. June 2003. *Site Sampling Report, National City Dump, City of National City, San Diego County*

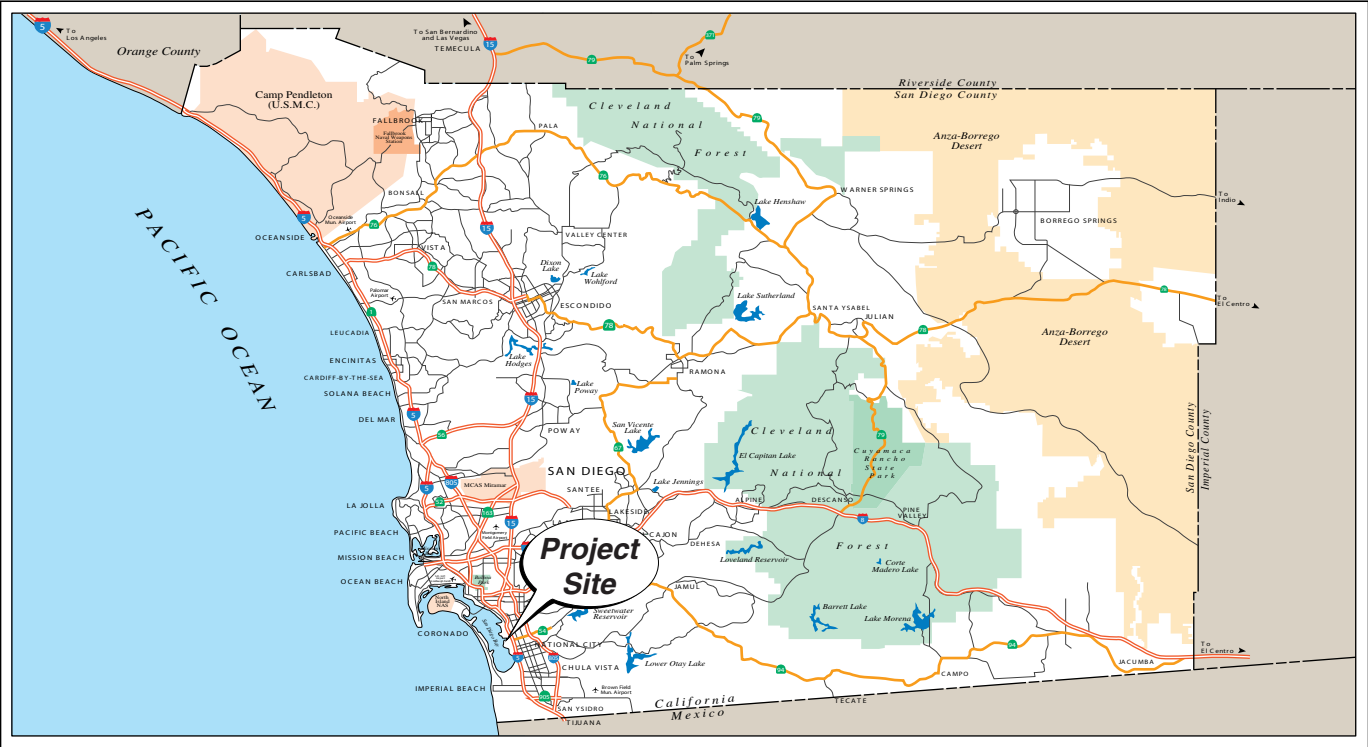
SCS Engineers (formerly Environmental Business Solutions). March 25, 2003. *Property Mitigation Plan for the Cleveland Associates, Inc Property APNs 559-117-14 and -15; and 559-160-03, -09, and -21 and the Former Cuyamaca Meats, Inc. Property APN 559-160-11*

_____. June 26, 2002. *Feasibility Study: Preliminary Geotechnical Evaluation, Ecological Scoping Study, and Supporting Site Assessment Activities for the Harbor District Redevelopment Project, National City, California*

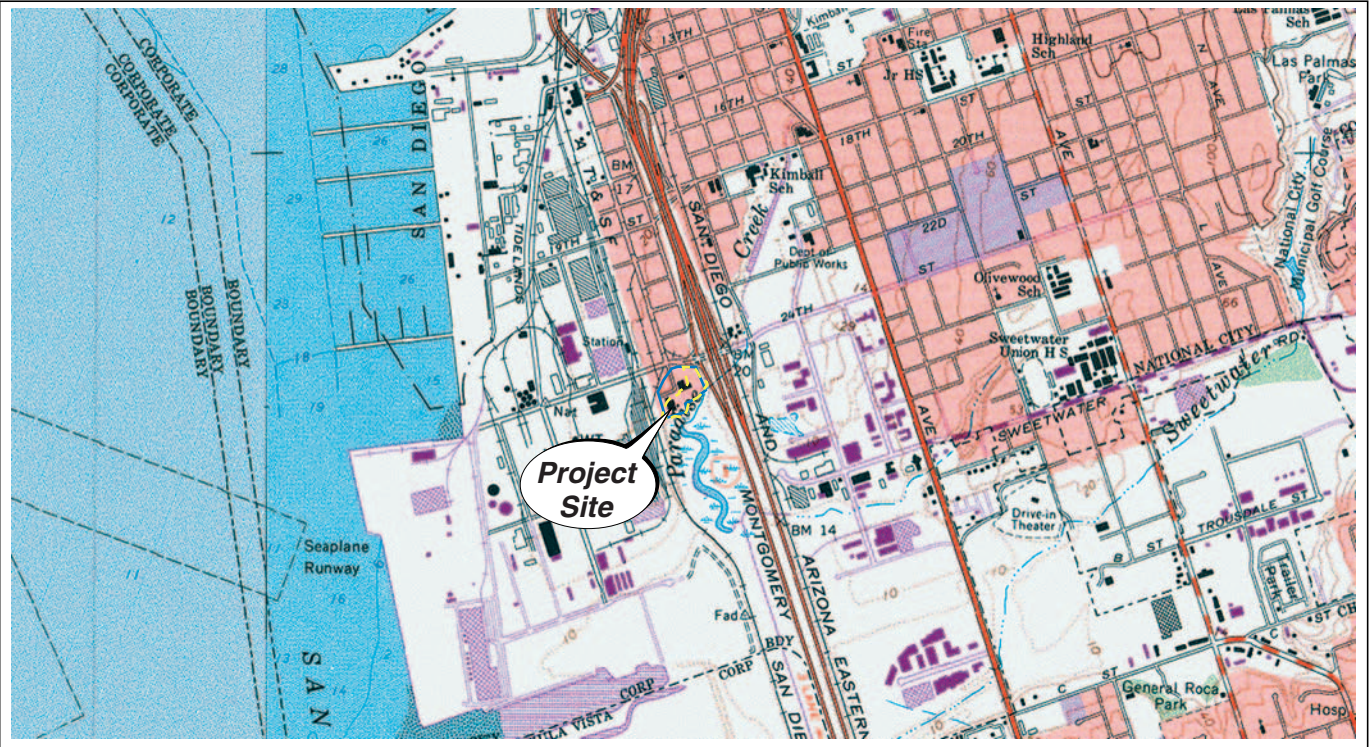
_____. September 4, 2001. *Master Workplan, CDC Harbor District Redevelopment Project, Environmental Remediation*

_____. November 5, 1998. *City of National City Local Coastal Program Harbor District Specific Area Plan*

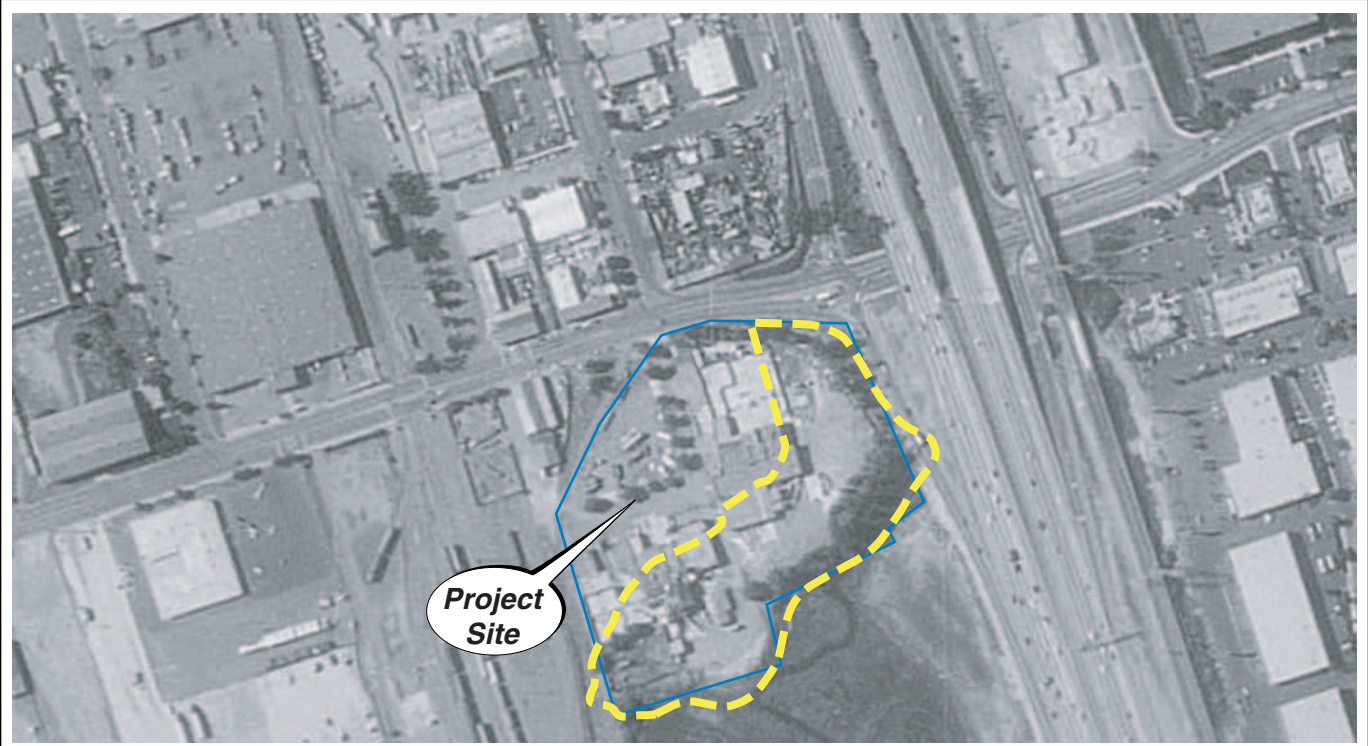
FIGURES



REGIONAL SITE LOCATION



2-DIMENSIONAL SITE LOCATION

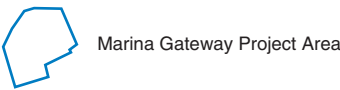


SITE AERIAL PHOTOGRAPH



3-DIMENSIONAL SITE LOCATION

Reference:
Terra Server Aerial Photograph
National City, California - May 1994



Disclaimer: This figure is based on available data. Actual conditions may differ. All locations and dimensions are approximate.

SCS ENGINEERS

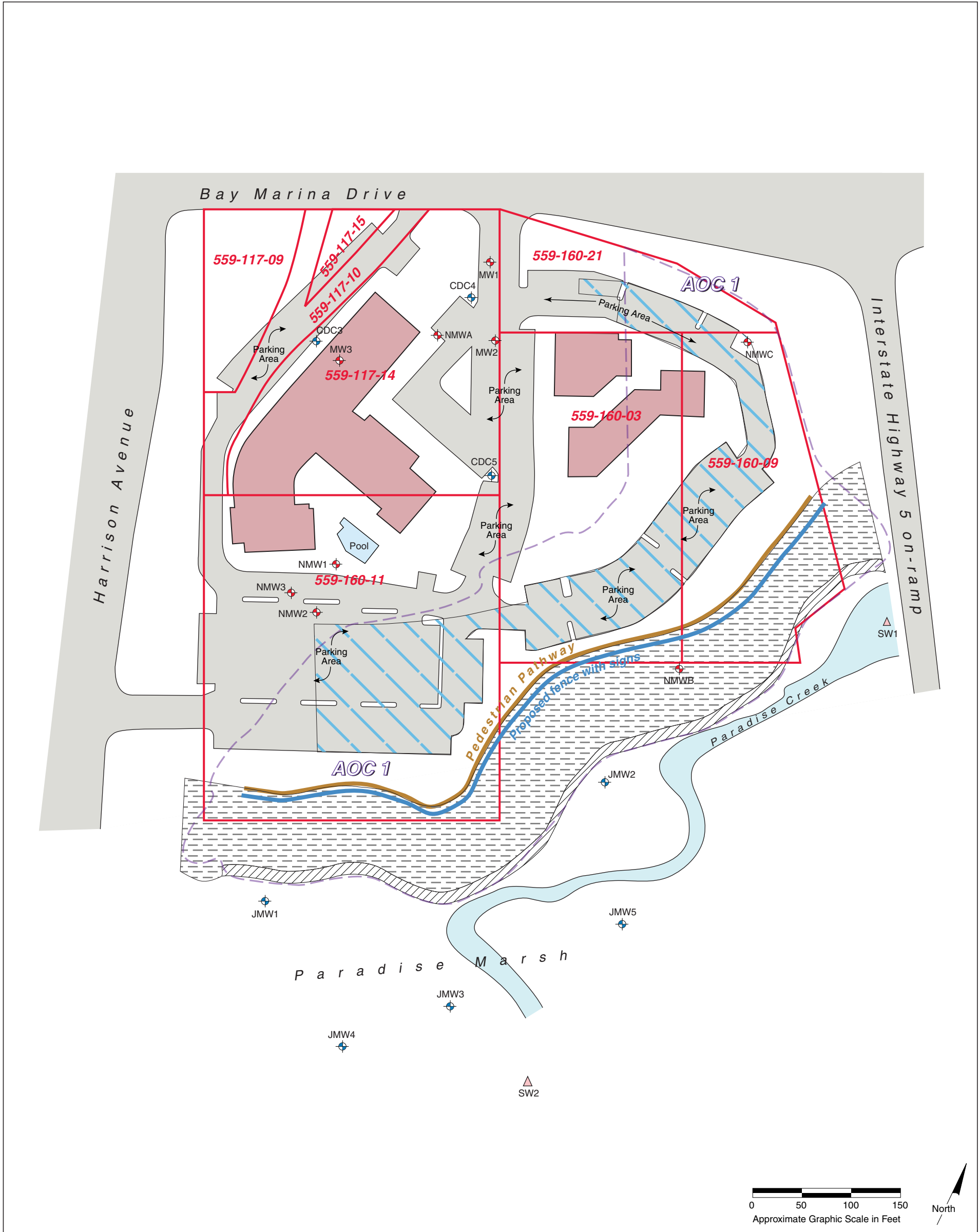
Environmental Consultants
8799 Balboa Avenue, Suite 290
San Diego, California 92123

4-WAY SITE LOCATION MAP
Community Development Commission of National City
Marina Gateway Project
2501 and 2510 Cleveland Avenue
National City, California











Project No.:
01203569.05

Figure 3-1

Date Drafted:
10/18/06



EXPLANATION

-  Monitoring well location.
-  Approximate parcel boundaries.
-  Proposed buildings.
-  Proposed monitoring well location.
-  Former monitoring well location.
-  Well designation and groundwater elevation as measured on 6/27/06.
-  Approximate boundary of Site (mitigated former burn dump with engineered cap/covenant area)
-  Portion of parking lot installed by CIWMB.
-  Upper zone planting.
-  Transition zone planting.

Disclaimer: This figure is based on available data. Actual conditions may differ. All locations and dimensions are approximate.

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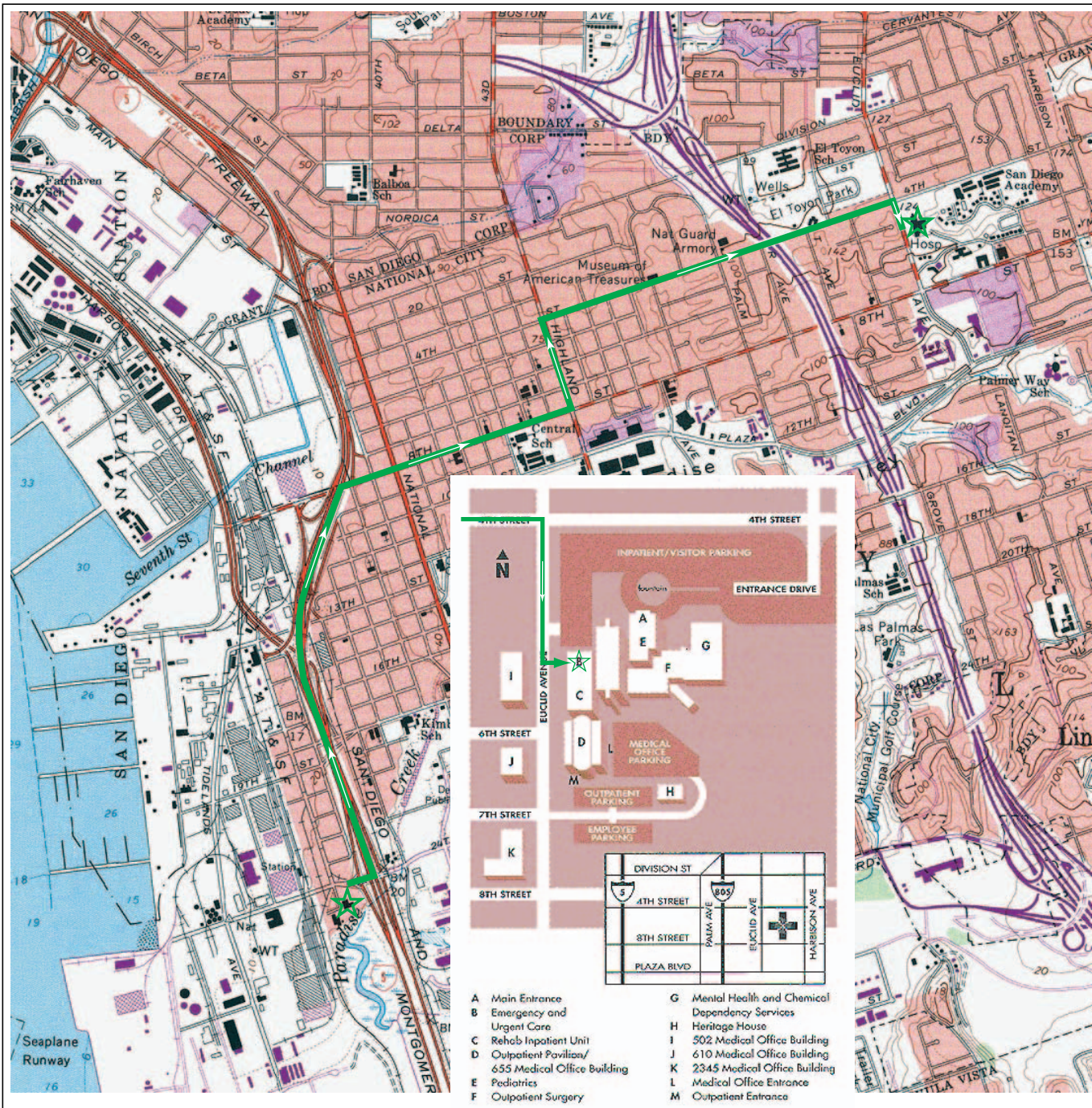
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LAND USE MAP
Community Development Commission of National City
Marina Gateway Hotel Project
Formerly Cleveland and Cuyamaca Properties
2501 and 2510 Cleveland Avenue
National City, California

Project No.:
01203569.11

Figure 3-2

Date Drafted:
10/19/06



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Disclaimer: This figure is based on available data. Actual conditions may differ. All locations and dimensions are approximate.

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HOSPITAL LOCATION MAP
Community Development Commission of National City
Marina Gateway Project
2501 and 2510 Cleveland Avenue
National City, California

Project No.:
01203569.05

Figure 7-1

Date Drafted:
12/14/04

APPENDIX A

DEED COVENANT

**APPENDIX B
PARKING LOT STORM
WATER BEST MANAGEMENT
PRACTICES**

Parking Lots –Source Control Storm Water BMPs	
<p>PURPOSE:</p> <p>Prevent and reduce the discharge of pollutants from parking areas and include using good housekeeping practices, following appropriate cleaning BMPs, and training employees.</p>	<p>TARGETED ACTIVITIES</p> <ul style="list-style-type: none"> • Vehicle parking • Surface cleaning and maintenance • Litter control
<p>APPROACH TO FUTURE FACILITIES AND UPGRADES:</p> <p><i>Design of New Facilities and Existing Facility Upgrades</i></p> <ul style="list-style-type: none"> • Encourage alternative designs and maintenance strategies for impervious parking lots. <p>APPROACH TO EXISTING FACILITY ACTIVITIES:</p> <ul style="list-style-type: none"> • To ensure storm water pollution prevention practices are considered when conducting activities on or around parking areas to reduce potential for pollutant discharge to receiving waters. <p><i>Operational Considerations</i></p> <p><i>Controlling Litter</i></p> <ul style="list-style-type: none"> • Post “No Littering” signs and enforce anti-litter laws. • Provide and adequate number of litter receptacles. • Clean out and cover litter receptacles frequently to prevent spillage. • Provide trash receptacles in parking lots to discourage litter. • Routinely sweep, shovel, and dispose of litter in the trash. <p><i>Surface Cleaning</i></p> <ul style="list-style-type: none"> • Use dry cleaning methods (e.g. sweeping, vacuuming) to prevent the discharge of pollutants into the storm water conveyance system if possible. • Establish frequency of public parking lot sweeping based on usage and field observations of waste accumulation. • Sweep all parking lots at least once before the onset of the wet season. • Follow the procedures below if water is used to clean surfaces <ul style="list-style-type: none"> ▪ Block the storm drain or contain runoff. ▪ Collect and pump wash water to the sanitary sewer or discharge to a pervious surface. ▪ Do not allow wash water to enter storm drains. ▪ Dispose of parking lot sweeping debris and dirt at a landfill. 	<p>TARGETED POLLUTANTS</p> <ul style="list-style-type: none"> • Trash • Suspended solids • Hydrocarbons • Oil and grease • Heavy Metals <p>KEY APPROACHES</p> <ul style="list-style-type: none"> • Keep the parking areas clean and orderly. • Remove debris in a timely fashion. • Allow sheet runoff to flow into bio-filters (vegetated strip and swale) and/or infiltration devices. • Utilize sand filters or oleophilic collectors for oily waster in low quantities. • Arrange rooftop drains to prevent drainage directly onto paved surfaces. • Design lot to include semi-permeable hardscape.

Parking Lots –Source Control Storm Water BMPs

APPROACH TO EXISTING FACILITY ACTIVITIES:

Operational Considerations (continued)

- Follow the procedures below when cleaning heavy oily deposits:
 - Clean oily spots with absorbent materials.
 - Use a screen or filter fabric over inlet, then wash surfaces.
 - Do not allow discharges to the storm drain.
 - Vacuum/pump discharges to a tank or discharge to sanitary sewer.
- Appropriately dispose of spilled materials and absorbents.

Surface Repair

- Preheat, transfer or load hot bituminous material away from storm drain inlet.
- Apply concrete, asphalt, and seal coat during dry weather to prevent contamination from contacting storm water runoff.
- Cover and seal nearby storm drain inlets where applicable (with waterproof material or mesh) and manholes before applying seal coat, slurry seal, etc. Leave covers in place until job is complete and all water from emulsified oil sealants has drained or evaporated. Clean any debris from these covered manholes and drains for proper disposal.
- Use only as much water as necessary for dust control, to avoid runoff.
- Catch drips from paving equipment that is not in use with pans or absorbent material placed under the machines. Dispose of collected material and absorbents properly.

REQUIREMENTS:

- Costs associated cleaning and sweeping can be quite large. Construction and maintenance of storm water structural controls can be quite expensive as well.
-

LIMITATIONS:

- Limitations related to sweeping activities at large parking facilities may include high equipment costs, the need for sweeper operator training, and the inability of current sweeper technology to remove oil and grease.
-

RELEVANT RULES AND REGULATIONS

40 CFR 117.3 Determination of Reportable Quantities for Hazardous Substance
 40 CFR 122-124 NPDES Regulations for Storm water Discharges
 40 CFR 401 Effluent Limitation Guidelines